

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

GRETCHEN MARY MORANDY,

Plaintiff,

Case No. 2:19-cv-13464

HONORABLE STEPHEN J. MURPHY, III

v.

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

**ORDER ADOPTING REPORT AND RECOMMENDATION [15],  
DENYING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT [13],  
AND GRANTING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT [12]**

The Commissioner of the Social Security Administration ("SSA") denied the application of Plaintiff Gretchen Mary Morandy for Supplemental Security Income and Disability Insurance Benefits in a decision issued by an Administrative Law Judge ("ALJ"). ECF 9-2, PgID 44–53. After the SSA Appeals Council declined to review the ruling, Plaintiff appealed. ECF 1. The Court referred the matter to Magistrate Judge Anthony P. Patti, ECF 3, and the parties filed cross-motions for summary judgment, ECF 12, 13. The magistrate judge issued a Report and Recommendation ("Report") and suggested the Court deny the Commissioner's motion, grant Plaintiff's motion, and remand for further proceedings. ECF 15, PgID 613.

Federal Rule of Civil Procedure 72(b) governs review of a magistrate judge's report and recommendation. De novo review of the magistrate judge's findings is

required only if the parties "serve and file specific written objections to the proposed findings and recommendations." Fed. R. Civ. P. 72(b)(2). Because neither party filed objections, de novo review of the Report's conclusions is not required. After reviewing the record, the Court finds that the magistrate judge's conclusions are factually based and legally sound. Accordingly, the Court will adopt the Report's findings, deny the Commissioner's motion for summary judgment, ECF 13, and grant Plaintiff's motion for summary judgment, ECF 12. The Court will remand the case under 42 U.S.C. § 405(g) for further consideration consistent with this order and the Report, ECF 15.

### **ORDER**

**WHEREFORE**, it is hereby **ORDERED** that the magistrate judge's Report and Recommendation [15] is **ADOPTED**.

**IT IS FURTHER ORDERED** that Defendant's Motion for Summary Judgment [13] is **DENIED**.

**IT IS FURTHER ORDERED** that Plaintiff's Motion for Summary Judgment [12] is **GRANTED**.

**IT IS FURTHER ORDERED** that this case is **REMANDED** for further administrative proceedings.

This is a final order that closes the case.

**SO ORDERED.**

s/Stephen J. Murphy, III  
STEPHEN J. MURPHY, III  
United States District Judge

Dated: March 10, 2021

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on March 10, 2021, by electronic and/or ordinary mail.

s/David P. Parker  
Case Manager